

**Meeting:** Planning and Development Committee      **Agenda Item:**

**Date:** 13 July 2021

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Application No: 21/00633/FP

Location: Shaftesbury Court, Buckthorn Avenue, Stevenage, Hertfordshire SG1 1TX

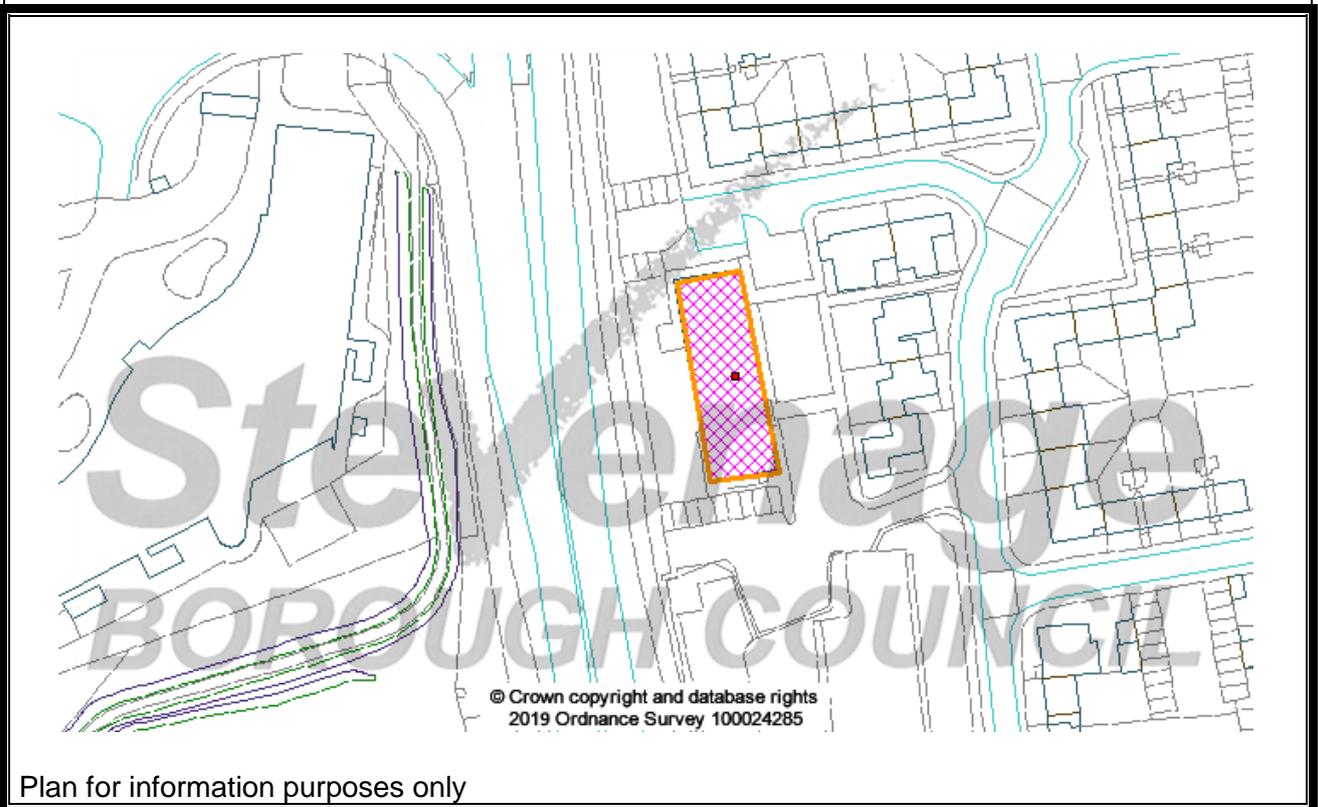
Proposal: Installation of new sprinkler tank and pump equipment within roof plant room and new sprinkler drop pipe on the west elevation of the building down to a ground storey fire brigade inlet box.

Drawing Nos.: CD-C392-Shaftesbury Court-01 Rev P1; -02 Rev P1; -03 Rev P1; -04 Rev P1; -10 Rev P1; CD\_C392\_Shaftesbury\_05 Rev P1; and \_06 Rev P1.

Applicant: Stevenage Borough Council

Date Valid: 4 June 2021

Recommendation: GRANT PLANNING PERMISSION



## **1. SITE DESCRIPTION**

- 1.1 The application site comprises a six storey block of flats to the west of Buckthorn Avenue and to the south of Farm Close, backing onto Monkswood Way/ A602. The flats are owned by Stevenage Borough Council. The site is adjoined to the south by a row of nine garages and to the east by the car park for the flats. To the east, there are also some bungalows, while to north are terraces of two storey dwellings and to the south is the Church of Jesus Christ of Latter Day Saints and its car park. The application site is within Bedwell Ward.

## **2. RELEVANT PLANNING HISTORY**

- 2.1 20/00193/FP Replacement balconies, rendering of building exterior and roof alterations. Granted 2 June 2020.

## **3. THE CURRENT APPLICATION**

- 3.1 Planning permission is sought for the installation of a new sprinkler tank and pump equipment within the roof plant room and a new sprinkler drop pipe on the west elevation of the building down to a ground storey fire brigade inlet box. The drop pipe would be a 50mm diameter steel pipe to a new surface mounted fire brigade inlet cabinet on the west elevation of the building. The cabinet would be 595mm high, 395mm wide and 295mm deep. It would be 600mm above ground level.
- 3.2 The purpose of the application is to ensure the building complies with BS9251 – the standard for fire sprinklers.
- 3.3 The application comes before Committee for consideration as the applicant is Stevenage Borough Council.

## **4. PUBLIC REPRESENTATIONS**

- 4.1 This planning application has been publicised by way of a site notice and neighbour notification letter. One letter has been received with the following comments:

45 Shaftesbury Court

- I have no objections to the proposal;
  - It would be helpful if some 'Fire Exit - Do Not Obstruct' signs could be added to the two fire exists from the garden of Shaftesbury Court.
- 4.2 Please note that these are not a verbatim of the comments received. Full copies of the comments received against this application can be viewed on the Council's website.

## **5. CONSULTATIONS**

### **5.1 Hertfordshire Building Control**

- 5.1.1 The scheme will be subject to a Building Regulation Application and the works will be carried out in accordance with BS9251 together with consultation with the Fire Authority.

### **5.2 Council's Environmental Health Section**

- 5.2.1 I have no comments to make.

## **6. RELEVANT PLANNING POLICIES**

### **6.1 Background to the development plan**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that the decision on the planning application should be in accordance with the development plan unless material considerations indicate otherwise. For Stevenage the statutory development plan comprises:

- The Stevenage Borough Council Local Plan 2011-2031
- Hertfordshire Waste Development Framework 2012 and Hertfordshire Waste Site Allocations Development Plan Document (adopted 2012 and 2014); and
- Hertfordshire Minerals Local Plan 2002 – 2016 (adopted 2007).

### **6.2 Central Government Advice**

6.2.1 A revised National Planning Policy Framework (NPPF) was published in February 2019. This largely reordered the policy substance of the earlier 2012 version of the NPPF, albeit with some revisions to policy. The policies in the Local Plan are in conformity with the revised NPPF and that the Local Plan should be considered up to date for the purpose of determining planning applications. The NPPF provides that proposals which accord with an up to date development plan should be approved without delay (para.11) and that where a planning application conflicts with an up to date development plan, permission should not usually be granted (para.12). This indicates the weight which should be given to an up to date development plan, reflecting the requirements of section 38(6) of the 2004 Act. The NPPF with which Members are fully familiar, is a material consideration to be taken into account in determining this application.

### **6.3 Planning Practice Guidance**

The PPG contains guidance supplementing the NPPF and with which Members are fully familiar. The PPG is a material consideration to be taken into account together with the National Design Guide (2019) which has the same status as the PPG.

### **6.4 Stevenage Borough Local Plan 2011-2031 (Adopted 2019)**

Policy SP1: Presumption in favour of sustainable development;  
Policy SP8: Good Design;  
Policy GD1: High Quality Design;

6.5 Supplementary Planning Document

Council's Design Guide SPD (2009).

### **6.6 Community Infrastructure Levy Charging Schedule**

6.6.1 Stevenage Borough Council adopted a Community Infrastructure Levy Charging Schedule in 2020. This allows the Council to collect a levy to fund infrastructure projects based on the type, location and floor space of a development. This proposal is not CIL liable.

## **7. APPRAISAL**

7.1 The determining issues in this application relate to the impact of the development upon the character and appearance of the area and the property and the impact of the proposal upon the amenities of the neighbouring properties.

### **7.2 Impact on the Character and Appearance of the Area**

7.2.1 The application site comprises a six storey block of flats on the western side of Buckthorn Avenue. The majority of the proposed works (the installation of the new sprinkler tank and the pump equipment) would be internal and would accordingly not impact upon the external appearance of the building. The new sprinkler drop pipe and the fire brigade inlet box at ground floor level would be limited additions to the building. They would be on the western elevation of the building – fronting Monkswood Way/ A602 – and would not be readily visible from any public pedestrian viewpoints. They would accordingly have a very minor impact upon the character and appearance of the building and the area. The visual impact of the proposed development would be acceptable.

### **7.3 Impact upon Neighbouring Amenities**

7.3.1 The proposed development would not have any adverse impacts upon the amenities of the occupiers of the block of flats or those of the surrounding dwellings as a result of its limited nature and siting on the western elevation of the building.

### **7.4 Other Considerations**

7.4.1 The comments from the member of public concerning the provision of some 'Fire Exit - Do Not Obstruct' signs are noted. However, they are not relevant to the consideration of this application.

#### *Human Rights and Equalities*

7.4.2 Consideration has been given to Articles 1 and 8 of the First Protocol of the European Convention on Human Rights. It is not considered that the decision would result in a violation of any person's rights under the Convention.

7.4.3 When considering proposals placed before Members it is important that they are fully aware of and have themselves rigorously considered the equalities implications of the decision that they are taking.

7.4.4 Rigorous consideration will ensure that proper appreciation of any potential impact of that decision on the Council's obligations under the Public Sector Equalities Duty. As a minimum this requires decision makers to read and carefully consider the content of any Equalities Impact Assessment (EqIA) produced by officers.

7.4.5 The Equalities Act 2010 requires the Council when exercising its functions to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and other conduct prohibited under the Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and (c) foster good relations between persons who share protected characteristics under the Equality Act and persons who do not share it. The protected characteristics under the Equality Act are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief; sex and sexual orientation.

- 7.4.6 It is not considered the proposal would impact on person(s) with protected characteristics as detailed in the Equalities Act.

## **8. CONCLUSIONS**

- 8.1 The proposed development would not have any adverse impacts upon the character and appearance of the building or the area and would not have any adverse amenity impacts either as a result of its limited nature and siting in relation to the surrounding properties.
- 8.2 It is concluded the proposed development accords with the Policies specified in the adopted Local Plan (2019), the Council's Design Guide SPD (2009), the NPPF (2019) and the PPG (2014).

## **9. RECOMMENDATIONS**

- 9.1 That planning permission be GRANTED subject to the following conditions:-

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:

CD-C392-Shaftesbury Court-01 Rev P1; -02 Rev P1; -03 Rev P1; -04 Rev P1; -10 Rev P1; CD\_C392\_Shaftesbury\_05 Rev P1; and \_06 Rev P1.

**REASON:-** For the avoidance of doubt and in the interests of proper planning.

- 2 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

**REASON:-** To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be on the approved plans and application forms to the satisfaction of the Local Planning Authority.

**REASON:-** To ensure the development has an acceptable appearance.

### **Pro-active statement**

1. Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

## **10. BACKGROUND DOCUMENTS**

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage Borough Council Supplementary Planning Documents – Design Guide adopted October 2009.
3. Stevenage Borough Local Plan 2011-2031 adopted 2019.

4. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
5. Central Government advice contained in the National Planning Policy Framework February 2019 and the Planning Policy Guidance March 2014.